

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

RECEIVED

2006 APR 10 AM 11:41

IN RE:

CLAUDIA Y. F. FITZPATRICK,
Debtor.

ROBERT LEE SMITH,
Appellant,

v.

CLAUDIA Y. F. FITZPATRICK,
Appellee.

SA P. HACKETT, JR.
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA.

CIVIL ACTION NO. 2:06CV281-MHT

MOTION TO CORRECT TRANSCRIPT

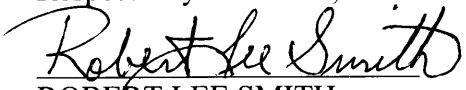
COMES NOW THE appellant and moves this Court to enter an order to the reporter to correct the transcript that was recorded electronically by Ms. Linda Bodden, and transcribed by Ms. Patricia Basham, 6411 Quail Ridge Drive, Bartlett, Tennessee 38135, telephone number (901) 372-0623 was transcribed incorrectly resulted in crucial omission and word being included in the transcript which should be corrected, and further to extend the time to file a brief because of the corrections that should be made. Movant states that the transcript should be corrected as follows:

1. On page 6, line 19 after the word "that" the following was omitted "there was a receipt issue," and it should be included in the transcript.

2. On page 17, line 11 after the word "was" the following was omitted "taking mortgage payments and rental income from those other properties to stop foreclosures on the house that Mr. and Mrs. Fitzpatrick were still living in during the lawsuit." and it should be included in the transcript.

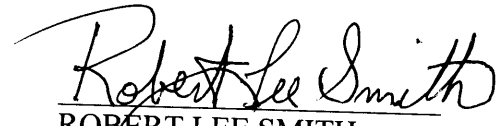
3. On page 19, line 7 after the word "dollars", the following was omitted "of deficiency" and it should be included in the transcript.
4. On page 19, line 14, the word "places" should be "policies".
5. On page 22, line 23, after the word "rent" the following was omitted ", security deposit" and it should be included in the transcript.
6. On page 23, line 5 after the word "as" the following was omitted "a receipt for \$650.00 which" and it should be included in the transcript.
7. On page 24, line 7 after the word "in" the following was omitted "April and May" and it should be included in the transcript.
8. On page 25, line 23 after the word "no" the following was omitted "reason for concern by me in my mind at this point in time" and it should be included in the transcript.
9. On page 27, line 25, the word "three" should be "two".
10. On page 28, line 2, the word "three" should be "two".
11. On page 29, line 6, the word "off" should be "all".
12. On page 33, line 25 the entire response to my statement was not recorded at the end of the sentence and the last word should be "no".
13. On page 52, line 14 after the word "the", the word "circuit" should be "district".
14. On page 52, line 15, the word "circuit" should be "district".
15. On page 52 line 15, the word "convict" should be "evict".

Respectfully submitted,


ROBERT LEE SMITH
P.O. BOX 5145
MONTGOMERY, AL 36103
334-263-6310

CERTIFICATE OF SERVICE

I, Robert Lee Smith hereby certify that on this the 10th day of April 2006, I served a true and correct copy of the above motion on Mark a. Cavanaugh, attorney for the Appellee-Debtor by a mailing a copy of the same to him at his address of 4252 Carmichael Road, Suite 7, Montgomery, Alabama 36106, postage prepaid and properly addressed.


ROBERT LEE SMITH